

BARDENWERPER, TALBOTT & ROBERTS, PLLC

ATTORNEYS AT LAW

1000 N. HURSTBOURNE PARKWAY • BUILDING INDUSTRY ASSOCIATION OF GREATER LOUISVILLE BLDG. • SECOND FLOOR • LOUISVILLE, KENTUCKY 40223
(502) 426-6688 • (502) 425-0561 (FAX) • WWW.BARDLAW.NET

Nicholas R. Pregliasco
Direct dial: 426-0388, ext. 139
Email: NRP@BARDLAW.NET

July 17, 2018

Dear Neighbor,

RE: Proposed Conditional Use Permit (CUP) to allow a restaurant with outdoor alcohol sales and consumption at 1031, 1035, 1037 & 1041 Goss Avenue

We are writing to invite you to a meeting we have scheduled to present neighbors with our CUP plan to allow a restaurant with outdoor alcohol sales and consumption on the above referenced property. At the time of formal filing, we will also be filing a Category 3 application to allow a 1-story, 5,000 sf restaurant. The outdoor dining area, for which the CUP is requested, will be a part of the proposed restaurant.

Accordingly, we filed the CUP plan for pre-application review on Monday, July 9th with the Division of Planning and Design Services (DPDS) that has been assigned case number **18CUP1089** and case manager, **Beth Jones**. We would like to show and explain to neighbors this plan so that we might hear what thoughts, issues and perhaps even concerns you may have.

In that regard, a meeting will be held on **Tuesday, July 31st at 7:00 p.m. in the cafeteria at St. Elizabeth of Hungary Church** located at **1020 E. Burnett Avenue** (*enter the cafeteria through the door, under an awning, facing Hoertz Ave.*).

If you cannot attend the meeting but have questions or concerns, please call me at 426-6688 or our land planning and engineering firm representative Sarah Beth Sammons at 426-9374.

We look forward to seeing you.

Sincerely,



Nick Pregliasco

cc: Hon. Pat Mulvihill, Councilman, District 10
Beth Jones, Case Manager with Division of Planning & Design Services
Sara Beth Sammons, land planners with Land Design & Development, Inc.
Shawn Cantley, applicant with Goss Avenue Restaurant, LLC

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18 CUP 1089

Client: Shawn Cantley/Goss Ave.
Case No: 18CUP1089
Site Address: 1031, 1035, 1037 &
1041 Goss Ave.

Block 25J, Lot 14, 16, 17, 18
BCCN Real Estate Holdings, LLC
312 S. 4th Street, 6th floor
Louisville, KY 40217

Tier One Property Owners:

Block 25J, Lot 19
Tenfiftyeight, LLC
1058 Highland Ave.
Louisville, KY 40204-1961

Block 26C, Lot 166, 165
Goss Avenue, LLC
12800 Crawford Rd. NE
Palmyra, IN 47164-8947

Block 26C, Lot 164
Prospect Property Group, LLC
13505 Ridgemoor Dr.
Prospect, KY 40059

Block 26C, Lot 163
Hurt Housing, LLC
603 Maryhill Ln.
Louisville, KY 40207

Block 26C, Lot 162
Nicholas L. James & Jay Bhimani
188 North St., Apt. 62
Boston, MA 02113

Block 26C, Lot 161, 140
Karen Sue Hauck
PO Box 5022
Louisville, KY 40255

Block 26C, Lot 160
Charles Glasser
5113 Withorn Sq.
Louisville, KY 40241

Block 26C, Lot 159, 158, 129
George & J L Hauck
9101 Old Bardstown Rd.
Louisville, KY 40291

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Block 25J, Lot 13
Judith Karen Stevens Obiedo
1029 Goss Ave.
Louisville, KY 40217

Block 25J, Lot 32
Christopher James Hunter
1028 Samuel St.
Louisville, KY 40204

Block 25J, Lot 33
Reed S. Welker
1030 Samuel St.
Louisville, KY 40204

Block 25J, Lot 35
John & Stacey Dziedzic
6503 Westwind Way
Louisville, KY 40014

Block 25J, Lot 35
Mary Helen Gary & Robert Gary
1034 Samuel St.
Louisville, KY 40204

Block 25J, Lot 36
Eleanor E. Thiemann
1036 Samuel St.
Louisville, KY 40204

Block 25J, Lot 37
Nancy Russman & Elizabeth Stith
1038 Samuel St.
Louisville, KY 40204

Block 25J, Lot 38
James Barry Cissell
1040 Samuel St.
Louisville, KY 40204

Block 25J, Lot 39
Loretta S. Robinson
1042 Samuel St.
Louisville, KY 40204

Tier Two Property Owners:

Block 25J, Lot 40
Justin Stewart & Laurel Sims Stewart
1044 Samuel St.
Louisville, KY 40204

Block 25J, Lot 41
Cynthia & Bryan Hubbs
1046 Samuel St.
Louisville, KY 40204

Block 25J, Lot 42
Claire Schroering
1048 Samuel St.
Louisville, KY 40204

Block 25J, Lot 43
Marvin & Millicent Sidebottom
6511 Hollow Tree Rd.
Louisville, KY 40228

Block 25J, Lot 23
Four Pegs, LLC
1053 Goss Ave.
Louisville, KY 40217

Block 25J, Lot 22
Michael & Nancy Breitenstein
1628 Lucia Ave.
Louisville, KY 40204

Block 25J, Lot 12
Raymond Cortez & Debbie Cortez
1027 Goss Ave.
Louisville, KY 40217

Block 25J, Lot 11
Katrina Ice
1025 Goss Ave.
Louisville, KY 40217

Block 25J, Lot 260
Mildred Link
1026 Samuel St.
Louisville, KY 40204

Block 26C, Lot 157
Karen Hauck & Lynn Hauck Hite
1000 Goss Ave.
Louisville, KY 40217

Block 26C, Lot 171, 168
Gabriele Properties, LLC
Gabriele Foods, LLC
1030 Goss Ave.
Louisville, KY 40217

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Block 26C, Lot 167
Goss Avenue, LLC
12800 Crawford Rd., NE
Palmyra, IN 47164

Block 26C, Lot 141
Melissa Lee
1005 Ash St.
Louisville, KY 40217

Block 26C, Lot 142
Bank of America NA
7105 Corporate Dr.
Plano, TX 75024

Block 26C, Lot 143
Alice M. Eilers
416 Oxford Place
Louisville, KY 40207

Block 26C, Lot 144
Joseph, Jr. & Robin Maupin
2916 Cambridge Rd.
Louisville, KY 40220

Block 26C, Lot 145
Stuart Jones & Catherine Hatcher
1013 Ash St.
Louisville, KY 40217

Block 26C, Lot 146
Daniel & Kelley Lewis
1015 Ash St.
Louisville, KY 40217

Block 26C, Lot 145, 148
Kristin Chervenak & Leila Faucette
1017 Ash St.
Louisville, KY 40217

Block 26C, Lot 149
Andrew Withington
1834 Stevens Ave.
Louisville, KY 40205

Block 25J, Lot 9
Tommy & Mary Locicero
1017 Goss Ave.
Louisville, KY 40127

Block 25J, Lot 10
137 Harlan, LLC
4523 Wolfcreek Pkwy.
Louisville, KY 40241

Block 25J, Lot 107
James R. Disselkamp
1047 Samuel St.
Louisville, KY 40204

Block 25J, Lot 106
Nicole Troxell & Caroline Wilson
1045 Samuel St.
Louisville, KY 40204

Block 25J, Lot 105
Andrea Clark
1043 Samuel St.
Louisville, KY 40204

Block 25J, Lot 103
Allison K. Dobbs
1039 Samuel St.
Louisville, KY 40204

Block 25J, Lot 102
Logan Smith
1033 Samuel St.
Louisville, KY 40204

Block 25J, Lot 101
Thomas Westley & Mary Austin
1027 Samuel St.
Louisville, KY 40204

Block 25J, Lot 100
Dennis Tanaka
1025 Samuel St.
Louisville, KY 40204

Block 25J, Lot 99
Daniel Petersmith
1023 Samuel St.
Louisville, KY 40204

Block 25J, Lot 98
Brett Meyer & Christine Smith
1817 Tyler Pkwy.
Louisville, KY 40204

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Others:

Nicholas R. Pregliasco
Bardenwerper, Talbott & Roberts, PLLC
1000 N. Hurstbourne Pkwy., 2nd Floor
Louisville, KY 40223

Hon. Pat Mulvihill
Councilman, District 10
601 W. Jefferson Street
Louisville, KY 40202

Sarah Beth Sammons, ASLA, PLA
Land Design & Development, Inc.
503 Washburn Ave.
Louisville, Kentucky 40222

Beth Jones, Case Manager
Department of Planning and Design
444 S. 5th Street
Louisville, KY 40202

Shawn Cantley
Goss Avenue Restaurant, LLC
1073 Cherokee Road
Louisville, KY 40204

**Those neighbors that attended the
7/31/18 NM not already on the APO
list:**

Mike Morris
947 Goss Avenue
Louisville, KY 40217

Gail Linville
526 Atwood St.
Louisville, KY 40217

Developer's Neighborhood Meeting

<i>Meeting Date and Time</i>	<i>Developer's Name</i>	Goss Avenue Restaurant, LLC
July 31, 2018 @ 7:00 pm		

Location of Meeting
St. Elizabeth of Hungary Church, 1020 E. Burnett Avenue, Louisville, KY

<i>Description of Proposal</i>	Proposed CUP to allow a restaurant with outdoor alcohol sales and consumption

Subject Site Location
1031, 1035, 1037 & 1041 Goss Avenue, Louisville, KY

NEIGHBORS IN ATTENDANCE

NAME	ADDRESS	ZIP CODE	EMAIL ADDRESS
PLEASE PRINT CLEARLY			

Geoff Wohl	D10LA			geoff.wohl@louisvilleky.gov
Ron Botton				Schnitzeling278@gmail.com
✓ Gail Linville	526 Atwood St	40217		
✓ Maureen Russman	1038 Samuel St	40204		chetsunway1038@hotmail.com
✓ Elizabeth Smith	1038 Samuel St.	40204		libbalep@hotmail.com
✓ Allison Dobbs	1039 Samuel St	40204		allisonkdobbs@gmail.com

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Developer's Neighborhood Meeting

<i>Meeting Date and Time</i>	<i>Developer's Name</i>	<i>Goss Avenue Restaurant, LLC</i>
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Location of Meeting
St. Elizabeth of Hungary Church, 1020 E. Burnett Avenue, Louisville, KY

<i>Description of Proposal</i>	Proposed CUP to allow a restaurant with outdoor alcohol sales and consumption

Subject Site Location

1031, 1035, 1037 & 1041 Goss Avenue, Louisville, KY

NEIGHBORS IN ATTENDANCE

[illegible]

**Neighborhood Meeting Summary
Cantley/Goss Ave.**

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A neighborhood meeting was called to order at 7:00 PM on July 31, 2018 at the St. Elizabeth of Hungary Church located at 1020 E. Burnett Avenue which was chosen because it is located close to Goss Ave. with ease of access to residents from the area who mostly attended this neighborhood meeting.

The meeting began with John Talbott showing a PowerPoint presentation of the area and nearby development. He did this so that everyone present was fully familiar with exactly the properties being considered and impacted. He described also the proposed initial site plan for this site, its perimeter buffers and setbacks, the location of parking, the increased parking over what is required, a detailed district development plan, and the points of ingress and egress.

Sara-Beth Sammons, with Land Design and Development explained the particulars of the site and variance request, including the landscape buffers, trees and screening to improve aesthetics and mitigate potential adverse impacts on neighbors, square footage of the restaurant, and traffic flow and parking.

Major issues raised by neighbors included traffic flow in the alley behind the lots, parking, noise, trash and access. The neighbors were concerned with traffic taking a left (west) when entering the alleyway, which takes drivers into a dead end. Apparently, signage presently instructs drivers that it is a dead end and to go right, but many drivers with the current establishments still go the wrong direction. We agreed to investigate additional signage. Neighbors were pleased however to hear that the parking lot was open to the alley, and they specifically did not want the parking lot closed to the alley, which they indicated was important to maintain police patrols in the alley.

Regarding some of the other issues, it was explained that binding elements could be used to restrict things such as garbage pickup at inconvenient hours. It was also explained that the restaurant was specifically designed to direct the outdoor area, and the noise it may produce, away from residential properties and towards the other restaurants on Goss Ave.

Several questions were raised about details concerning the restaurant, such as the number of seats, hours of operation, etc., which it was explained have not been determined at this point.

The neighbor immediately to the west of the property was disappointed about her view being compromised and we agreed to investigate plantings which could be put in the buffer to soften the view of the building.

Mr. Talbott also explained how the DPDS "Case Management Review Process" how agencies such as MSD will review the submitted DDDP and how those agencies' preliminary stamps of approval are required prior to this application being public meetings and hearings. He said that those attending this meeting, and who

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received notice thus far will receive official notice of those meetings so that they can appear to comment on the application finally filed.

Mr. Talbott also provided those present with information relative to contacts at DPDS and himself if anyone had any additional questions.

Respectfully submitted,
John C. Talbott
Bardenwerper, Talbott & Roberts, PLLC
Building Association of Greater Louisville Building
1000 N. Hurstbourne Parkway, Second Floor
Louisville, KY 40223
(502) 426-6688

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